

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2018

C O R A M

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.1852 & 1853 of 2018
and W.M.P.Nos.2300 & 2301 of 2018

Regency Ceramics Ltd,
Yanam, Puducherry,

Represented by its President ...Petitioner in both WP's
Vs.

1.Industrial Tribunal cum Labour Court,
Puducherry

2.REGENCY Ceramics Workers' Union ,
Represented by Secretary,
K.V.V.Satyanarayanamurthy,
Yanam 533 464

... Respondents
in both WP's

COMMON PRAYER

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the first respondent from proceeding with C.P.Nos.2 & 9 of 2012 until the disposal of W.A.No.302 of 2009.

For Petitioner	: Mr.G.Anand for
in both WP's	M/s.T.S.Gopalan and Co.
For RR1	: Tribunal
in both WP's	
For RR2	: Mr.Ashokpathy
	in both WP's

COMMON O R D E R

The relief sought for in the Writ Petitions is to forbear the first respondent from proceeding with C.P.Nos.2 & 9 of 2012 until the disposal of W.A.No.302 of 2009.

2. The learned counsel for the petitioner contended that the Division Bench of this Court has passed an order on 14.09.2016 in Writ Appeal No.302 of 2009. Pursuant to the order, the writ petitioner is ready and willing to settle Rs.7,00,000/- to the respondents.

3. However, the learned counsel appearing on behalf of the second respondent submits that the second respondent is not willing to accept the settlement and wants to contest the matter.

4. During the pendency of Writ Appeal or in respect of the orders passed in Writ Appeal, no fresh writ petition can be entertained. Any other grievances if exists, to be addressed before the Hon'ble Division Bench, where the Writ Appeal is pending. The grievances of the writ petitioner at this point of time is that the Labour Court is proceeding with the CP. Thus, appropriate applications are to be moved before the Hon'ble Division Bench, if any grievances exist. The prayer sought for in this writ petition is to forbear the first respondent from proceeding with the CP Nos.2 & 9 of 2012 until the disposal of the Writ Appeal No.302 of 2009. It is an admitted fact that the Writ Appeal No.302 of 2009 is pending for adjudication and therefore all the parties concerned are at liberty to approach the Hon'ble Division Bench where the Writ Appeal No.302 of 2009 is pending and no fresh writ petition can be entertained, more specifically, when the Hon'ble Division Bench has seized of the issues.

5. At this juncture, the learned counsel for the petitioner prefers to withdraw the writ petitions. Permission granted. The Writ Petitions stand dismissed as withdrawn. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.Industrial Tribunal cum Labour Court,
Puducherry

+1 cc to M/s.T.S.Gopalan & Co Advocate sr 34840

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